

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2815 OF 2003
IN
SUIT NO. 4066 OF 1993

Y.G. Jadhav .. Plaintiffs
versus
R.R. Nabar & Co. & ors. .. Defendants

...

Mr.S.P. Thorat for the plaintiff.

Mr.Ajay Kandhar fo the defendant no.1.

Defendant no.2 present in person.

CORAM : D.G. KARNIK, J.

DATED : 4th March 2005.

P.C.:

1. Heard the defendant no.2 appearing in person, who is the applicant in this motion, as also the learned counsel for the plaintiff and defendant no.1.

2. By this motion, the defendant no.2 prays that

the order passed by this Court on 8th September 1997 be modified. I have perused the order passed by this Court on 8th September 1997. The said order was passed after hearing all the parties including the defendant no.2 who is the present applicant herein. I see no reason to restrain the defendant no.1 from executing the award. The defendant no.2 had sought to challenge the award by filing of a Writ Petition. The said Writ petition has been dismissed and award has become final. I therefore, see no reason to modify the order dated 8th September 1997.

3. For these reasons, motion is dismissed.

D.G. KARNIK, J